

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KIMBERLY EDELSTEIN,)	Case No. 1:17-CV-305
)	
Plaintiff,)	Judge Michael R. Barrett
)	
v.)	
)	
GREG STEPHENS,)	
)	
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that Plaintiff, Kimberly Edelstein (“Plaintiff”), hereby files an appeal, pursuant to Fed. R. App. P. 4(a)(3), to the United States Court of Appeals for the Sixth Circuit from one part only of a Final Judgment (DOC 234, attached as “A”) recording that the jury found in favor of Defendant, Greg Stephens, for the claim of alleged violation of the Fourteenth Amendment’s Equal Protection Clause under 42 U.S.C. § 1983 and the claim of religious discrimination under Ohio Revised Code § 4112.02, which were Counts V and IX of the Amended Complaint (DOC 20). Judge Barrett had merged these two counts into one jury instruction regarding employment discrimination and the jury decided in favor of Defendant Greg Stephens. Plaintiff is not including in this appeal the jury verdict in favor of Plaintiff on the claim under the First Amendment.

Plaintiff further appeals to the United States Court of Appeals for the Sixth Circuit from the Jury Instructions (DOC 231) as they contained improper language and the wrong statement of the law. Furthermore, Judge Barrett refused to include an instruction on vicarious liability.

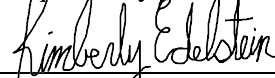
Plaintiff further appeals an Order (DOC 171) dismissing Defendant Butler County from the case as they had to remain in for vicarious liability purposes.

Plaintiff further appeals to the United States Court of Appeals for the Sixth Circuit from an Order denying, under Evidence Rule 702 and 704, Plaintiff's expert from testifying as to the ultimate issue (DOC 223 and 222)

The Clerk certified the judgment on February 3, 2023 (DOC 234).

As this is an appeal of claims against one aspect of the jury verdict only, the following documents, at minimum, must be part of the record sent to the Sixth Circuit as they apply to that defendant: DOCS 20, 158, 162 through 169, 171, 172, 173, 177, 184, 199 through 244.

Respectfully submitted,



Kimberly Edelstein (0074922)

Pro se

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of March 2023, a copy of the foregoing was sent, via email to Linda Woeber (lwoeber@mojolaw.com) and Cooper Bowen (cbowen@mojolaw.com), attorneys for Defendant.



Kimberly Edelstein (0074922)